

Message Text

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PAGE 01 TEGUCI 02858 152059Z
ACTION SCS-06

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FM AMEMBASSY TEGUCIGALPA
TO SECSTATE WASHDC 657

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E.O. 11652: NA
TAGS: CPRS, SNAR, PGOV, HO
SUBJ: CONFISCATION U.S.-OWNED AIRCRAFT

REF: (A) 77 TEGUCIGALPA 5003, (B) 77 TEGUCIGALPA 5498,
(C) 77 TEGUCIGALPA 5635, (D) 77 STATE 276690

1. AMBASSADOR AND CONOFF MET WITH GEN POLICARPO PAZ, CHIEF OF HONDURAN ARMED FORECES 6-8-78 TO INFORMALLY DISCUSS STATUS OF RAMOS AIRPLANE, PIPER PA 31-310, REGISTRY N6461. ALSO PRESENT AT MEETING WERE COL. DOMINGO ALVAREZ, CHIEF OF THE AIR FORCE AND LIC. ALVARADO, THE LAWYER FOR THE AIR FORCE. THEY PROVIDED EXPLANATION AND ALL DOCUMENTATION CONCERNING CASE.

2. THE INITIAL SUPREME COURT ORDER REPORTED REF (A) OF 9-7-77 TO DNI (NATIONAL INVESTIGATIVE POLICE) TO RETURN AIRPLANE TO THE OWNER LOLITA RAMOS HAD NO VALIDITY AS THE AIRPLANE AT THAT TIME WAS NOT BEIN HELD BY DNI. DNI HAD TURNED THE CASE OVER TO THE CHIEF OF POLICE 5-19-77 WHO GAVE IT TO THE POLICIA DE HACIENDA (CUSTOMS POLICE) FOR INVESTIGATION ON 3-30-77.

3. THE INVESTIGATION CONSISTED OF REPORTS FROM THE INVESTIGATIVE POLICE IN COLOMBIA CONCERNING COCAINE BELIEVED TO BE ABOARD THE PLANE ON ITS DEPARTURE FROM SAN ANDREAS, COLOMBIA, SWORN STATEMENTS FROM TWO WITNESSES AT PORT ROYAL, BAY ISLANDS, HONDURAS, THAT THE PLANE DID INDEED STOP THERE BEFORE PROCEEDING TO SAN
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PEDRO SULA AND ON TO TEGUCIGALPA (PORT ROYAL IS NOT A PORT OF ENTRY INTO HONDURAS) AND THE HONDURAN POLICE DISCOVERY OF COCAINE RESIDUE AND 100 PHENOBARBITAL TABLETS ON BOARD THE PLANE AFTER IT LANDED IN TEGUCIGALPA. THE RESIDUE WAS TESTED BY THE DEPARTMENT OF NARCOTICS OF DNI AND FOUND TO BE COCAINE. ON THE BASIS OF THIS INFORMATION THE CASE WAS TURNED OVER BY THE CUSTOMS POLICE TO THE DIRECCION GENERAL DE ADUANA (CUSTOMS) FOR FINAL

ARBITRATION ON 12-19-77 AS THE INVESTIGATION SHOWED THAT THE LEY DE CONTRABANDO Y DEFRAUDACIONES FISCALES (CONTRABAND AND FISCAL DEFRAUD LAW) WAS VIOLATED.

4. THE PLANE WAS FORMALLY TURNED OVE TO THE HONDURAN AIR FORCE BY A DOCUMENT DATED 1-9-78 FROM THE CHIEF OF CUSTOMS TO COL. ALVAREZ ON THE BASIS OF THE INVESTIGATION OF THE POLICIA DE HACIENDA. UNDER HONDURAN LAW THIS ACTION IS FINAL AND IN ACCORDANCE WITH THE LAW UNLESS OR UNTIL THE OWNERS OF THE AIRPLANE TAKE THE CASE TO COURT.

COMMENT: WHILE THE GOH HAS PREVIOUSLY BEEN LESS THAN FORTHCOMING ON THIS CASE, THEY HAVE NOW PROVIDED EMBASSY WITH FULL EXPLANATION AND SUPPORTING DOCUMENTS, SEEMINGLY TOTALLY IN ACCORDANCE WITH HONDURAN LAW AND IMPLICATING THE PILOT AND PASSENGERS OF PLANE ALONG WITH OWNER RAMOS IN DRUG TRAFFICKING. SHOULD THE OWNER WISH TO PURSUE CASE THE PROPER COURSE OF ACTION WOULD BE FOR HER LAWYER TO BEGIN COURT PROCEEDINGS FOR RETURN OF AIRPLANE. MS. RAMOS SHOULD CONSIDER THIS COURSE OF ACTION CAREFULLY BEFORE TAKING ANY STEPS, AS THE EVIDENCE PRODUCED BY THE INVESTIGATION HAS LED TO HER BEING CHARGED WITH INVOLVEMENT IN DRUG TRAFFICKING. IT IS POSSIBLE THAT LAWYER TOOK THIS FACT INTO CONSIDERATION AND THAT THIS IS ACTUAL REASON HE HAS NEVER BEEN WILLING TO PURSUE CASE FURTHER THROUGH COURTS. WHILE HE IS WELL VERSED IN HONDURAN LAW AND ENJOYS A GOOD REPUTATION AMONG HIS COLLEAGUES, HE APPEARED THROUGHOUT THE CASE TO BE UNWILLING TO LIMITED OFFICIAL USE

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RETURN TO COURT AND ALWAYS INSISTED THAT INITIAL SUPREME COURT ORDER TO DNI BE HONORED.
JARAMILLO

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Message Attributes

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